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FEDERAL ELECTION  
COMMISSION

2017 DEC 15 PM 2:04

BEFORE THE FEDERAL ELECTION COMMISSION

CELA

In the Matter of )  
 ) MUR 7210  
Frank Durkalski; Chesterland News: )  
Dismissal and Case Closure (EPS) )

AMENDED CERTIFICATION

I, Laura E. Sinram, recording secretary for the Federal Election Commission executive session on December 12, 2017, do hereby certify that the Commission failed by a vote of 2-2 to:

1. Dismiss the allegations that Frank Durkalski violated the Act and Commission regulations, pursuant to the Commission's prosecutorial discretion under *Heckler v. Chaney*, 470 U.S. 821 (1985).
2. Dismiss the allegation that the Chesterland News violated the Act and Commission regulations pursuant to the Commission's prosecutorial discretion under *Heckler v. Chaney*, 470 U.S. 821 (1985).
3. Approve the Factual and Legal Analysis for Frank Durkalski, as recommended in the General Counsel's Report dated September 20, 2017, subject to the edits circulated by Commissioner Weintraub's Office on December 11, 2017.
4. Close the file as to all Respondents and send the appropriate letters.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Goodman and Hunter dissented. Commissioner Petersen was not present and did not vote.

